

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ALBERT RODRIGUEZ; TRISTAN DUKES;
ANTHONY OWEN; and FRANCISCO
ALVARENGA**

PLAINTIFFS

v.

No. 4:19-cv-405-DPM

**SUPERIOR REAL ESTATE
SOLUTIONS, LLC and ALVIN FRANKS, JR.**

DEFENDANTS

ORDER

The parties in this case reached a settlement agreement on liability, *Doc. 26 & 27*, but weren't able to resolve attorney's fees and costs. Plaintiffs' counsel filed a motion for them, seeking \$14,833.81 in fees and \$540.15 in costs. The Court must determine the number of hours reasonably expended multiplied by a reasonable hourly rate, and make any appropriate reductions. *Hensley v. Eckerhart*, 461 U.S. 424, 433–40 (1983); *Quigley v. Winter*, 598 F.3d 938, 956–59 (8th Cir. 2010). Counsel's voluntary time reductions are commendable, including zeroing out all hours spent by six of the fourteen people who worked on this case (eleven attorneys, plus a law clerk, a paralegal, and staff). While some of the rates are too high for this kind of case in this District, \$14,833.81 in fees represents a reasonable total for all the work needed in this case. *Hensley*, 461 U.S. at 434–37.

The Court awards a reduced amount in costs. FED. R. CIV. P. 54(d)(1); 28 U.S.C. § 1920. The \$400 filing fee is recoverable. 28 U.S.C. § 1920(1). So

is the \$5 cost to find correct addresses. \$24 is a reasonable amount for copies in this dispute. 28 U.S.C. § 1920(4). Postage, though, is not recoverable. *Smith v. Tenet Healthsystem SL, Inc.*, 436 F.3d 879, 889 (8th Cir. 2006). And the \$75 service fee isn't either because a private process server was used. *Crues v. KFC Corp.*, 768 F.2d 230, 234 (8th Cir. 1985).

* * *

Plaintiffs' motion for costs and fees, *Doc. 28*, is granted as modified. The Court awards \$14,833.81 in attorney's fees and \$429.00 in costs.

So Ordered.



D.P. Marshall Jr.
United States District Judge

